

COVID-19 Recovery (Fast-track Consenting) Act 2020

Karaka North Village Consent Application by Karaka North Village Limited

M-4 Minute of the Karaka North Village Expert Consenting Panel – 13 June 2022

1. Under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act), an Expert Consenting Panel (the Panel) has been appointed to determine consent applications for Karaka North Village (the application). The Panel is comprised of myself (as Chairperson), Barry Kaye and Reginald Proffit.

Second request for information

2. The applicant requested processing of the application be suspended on 7 June 2022.
3. On 9 June the Panel send a second request for information (2nd RFI) to the applicant. This was on the basis that the applicant agreed to pay the costs of the Panel continuing to process the application during the suspension period.
4. Mr Brabant solicitor of the applicant telephoned the Chair on Friday 10 June to discuss the 2nd RFI. The Chair sent an email to the other Panel members immediately after the call to advise them of the call and to provide a brief description of what was discussed which in summary was:
 - a. That a call was received from Mr Brabant;
 - b. That Mr Brabant asked whether responses to the 2RFI could be provided orally (given the Panel had indicated a hearing could be held);
 - c. I said I had no problem with this but needed to check with the Panel;
 - d. Mr Brabant indicated they may reduce the scope of the application, but I wasn't entirely sure what was proposed;
 - e. That depending on what the applicant did, a new set of invitations to comment may need to be sent out; and
 - f. A record of the call would need to be formally made.
5. The Chair records that if there are to be any changes to the application, they should be provided with an amended AEE and/or other documents in support for the Panel to consider.
6. If this is to occur, the Panel would be grateful if the applicant could advise as soon as possible the likely timing for the submission of any amended application.
7. The Panel would require time to consider any amended application and decide whether a further request for information is required.
8. If a further information request is made, then it is for the applicant to assess whether the response should be orally or in writing.

9. If responses are to be given orally, then the Panel is unlikely to provide feedback on such responses. At most, the Panel would only ask additional questions required to clarify any of the responses given. A full written record of any oral answers would also need to be made and posted for publication.
10. The Panel signals very strongly that its preference for any responses to requests for information to be in writing.
11. The Panel also records that any amended application would have to be circulated with invitations to comment to the same parties that were invited to comment on the original application. That should occur as soon as possible after any amended application is received, and no later than 5 working days of an amended application being received. The timing of the circulation of any amended application timing is not dependant on whether any further request for information is made, or when written or oral responses are provided. The Panel's provisional view is that the timing for any decision to be made would also need to be re-calculated in relation to the timing of the further invitations to comment.
12. The Panel also asks the applicant to once again confirm whether it will approve the cost of the Panel continuing to process the application so far as it is able to while the application is currently in suspension.

Ngā mihi maioha



Alan Webb

Chairperson, Karaka North Village Expert Consenting Panel